

**From:** Debra Taylor  
**To:** Microsoft ATR  
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**Subject:** AGAINST SETTLEMENT

That Microsoft is an abusive monopoly has been shown. That it has a long history of routinely ignoring and circumventing court ordered behavioral restrictions is well established. That it has illegally transferred vast wealth from the pockets of computer users to those of its shareholders has been shown. What has not been shown is that this monopoly has been responsible for advancing consumer interests.

These facts have been proved through long years of litigation by the various states and the Justice department.

And now we settle.

What do we have? Consumers have not be given the money which has been illegally taken from them. Companies destroyed by monopoly practices remain non-existent. Technologies not developed because competition was stifled do not exist still. Stock holders in rival technology companies are still wiped out.

What we do have is another court order qualitatively similiar to all the broken orders of the past. This order is supposedly tougher, but the tough rules are bound to technology and monopoly practices of today. We all know these rules will not bind Microsoft as technology issues shift in the future - a mere 12 months away for Microsoft. We already see Microsoft gearing up for monopoly practices in the passport and .Net technologies. I seriously, very seriously, doubt DOJ ability to keep up with the technology and MS monopoly practices. I'll assume that DOJ will have to file suit again in a few years to counter new forms of monopoly abuse. We will constantly react long after the fact and with little actual effect.

If we have determined that MS illegally enriched itself at the expense of consumers and competitors, why do they now keep these profits? If they have a history of ignoring the Court and DOJ why do they get yet another opportunity to do the same.

I am skeptical of the earlier breakup order. However, at least it was qualitatively different from the long series of broken behavior restrictions. It's approach was correct, even if the details may have been questionable.

DOJ must re-examine its goals. Is it to 1) protect consumers, 2) undo the damage done by illegal actions, 3) stop further damage from being done, 4) extract itself from the legal quagmire that the MS case has proven to be. The first three all seem legitimate goals, obtainable to some degree. The

fourth seems to be the choosen course.

I am deeply disappointed,

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